



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mary Balogh
Filed : June 27, 2003
For : SYSTEM FOR PROCESSING UNPAID HEALTHCARE
CLAIMS
Serial No. : 10/608,254
Priority Date : November 4, 2002

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. 1.47(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A petition filed on 26 January 2004 under 37 CFR 1.47(b) was refused because of 1) The petition lacks any acceptable oath or declaration in compliance with §§ 115 and 116 MPEP 409.03(b) and 2) the petition lacks a statement that the filing is necessary to prevent irreparable damage or to preserve the rights of the parties MPEP 409.03(g).

This is a response to "Decision Refusing Status under 37 CFR 1.47(b)." Attached is an executed Declaration and Power of Attorney in compliance with 35 USC §§ 115 and 116 and proof of irreparable damage.

In response to this refusal Applicant submits a declaration executed by a company officer (Secretary of Siemens Medical Solutions Health Services) as assignee signing on behalf of the inventor as agent for the non-signing inventor. Applicant also submits the following statement as proof of irreparable damages and to preserve the right of the parties.

STATEMENT CONCERNING IRREPARABLE DAMAGE

Siemens Medical Solutions Health Services has expended resources both in company assets (including computer resources) and in salary to Mary Balogh to develop the technology that is the subject of the patent filing. Without the protection of a patent filing the company will lose its right to the patent protection of the developed technology laying it open to be used by competitors who have not invested in developing this technology. This will mean the investment made will be substantially devalued and undermine the company position in a competitive

marketplace thereby impairing the company's rights and causing irreparable damage to the company's competitive position.

Consequently, it is respectfully submitted that this request for reconsideration be granted.

No additional fee is believed due. However, if an additional fee is due, please charge the fee to Deposit Account 19-2179.

Respectfully submitted,

Date: 3/25/04

By: Alexander Burke
Alexander J. Burke
Reg. No. 40, 425

Siemens Corporation
Intellectual Property Dept.
170 Wood Ave. South
Iselin, NJ 08830
Tel: (732) 321 - 3023
Fax: (732) 321 - 3030